

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CR-172-BO-18

UNITED STATES OF AMERICA)

v.)


HARRY MYLES, SR.)

ORDER

This cause comes before the Court *sua sponte*. Upon its review of the charges against the remaining defendants in this case, in which an original indictment was filed in May 2015 against nineteen individuals, the Court finds that the circumstances presented support variation from the general rule that defendants who have been indicted together should be tried together. *See United States v. Rusher*, 966 F.2d 868, 877 (4th Cir. 1992). Accordingly, for the continued efficient administration of justice, *United States v. Nachamie*, 101 F. Supp. 2d 134, 151 (S.D.N.Y. 2000), the trial of defendant Harry Myles, Sr. is hereby SEVERED from that of his co-defendants who remain to be tried, Antoine Myles and Lemont Webb. *See United States v. McManus*, 23 F.3d 878, 882 (4th Cir. 1994) (recognizing trial court's authority to grant severance *sua sponte*); *see also United States v. Cureton*, No. CR RDB-16-0087, 2017 WL 780707, at *1 (D. Md. Mar. 1, 2017).

Mr. Harry Myles' arraignment and jury trial shall commence Tuesday January 16, 2018, at 10:00 a.m. at the United States Courthouse, 306 East Main Street, Elizabeth City, North Carolina.

SO ORDERED, this 27 day of November, 2017.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE